

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON

3S Network, Inc., a California Corporation,  
Plaintiff,

v.

Zenisco, Inc., a California corporation;  
Shahrokh Riahinezhad and his Spouse and  
their marital community; Shahrooz Taebi  
and his Spouse and their marital community;  
Individual John and Jane Does 1-20;  
and Doe Entities 1-20,  
Defendants.

v.

Saied Danesh and the marital community of  
Saied and Jane Doe Danesh, Ramin Delavari  
Delavari Immigration Services, and John  
and Jane Roes 1-5.

Third-Party Defendants.

NO.

THIRD PARTY DEFENDANT'S NOTICE  
OF REMOVAL TO FEDERAL COURT  
UNDER FEDERAL QUESTION  
JURISDICTION 28 U.S.C. §§ 1441 & 1446.

**TO: Clerk of the Court**

AND TO: 3S Network, Inc. a California Corporation, Plaintiff c/o Scott McKay, attorney for  
Plaintiff

AND TO: Zenisco, Inc. a California Corporation, Shahrokh Riahinezhad and his Spouse and  
their marital community, Defendants c/o Daniel Foe and Daniel Werner, attorneys for  
Defendants

NOTICE OF REMOVAL - 1  
Case No. 19-2-34369-9 SEA

**CISNEROS WHEAT LEGAL PLLC**  
1201 3RD AVE STE 22-120  
SEATTLE, WASHINGTON 98101  
TELEPHONE: (206) 262-7381  
[info@wheatlegal.com](mailto:info@wheatlegal.com)

PLEASE TAKE NOTICE that Third Party Defendant Jeffery Wheat files this Notice of Removal pursuant to 28 U.S.C. §§ 1441, and 1446. Third Party Defendant removes this case from the Superior Court for the County of King, Washington, in which the case was commenced and pending, to the U.S. Court for the Western District of Washington, being the district embracing the place where the case is pending. In support of this removal, Third Party Defendant states as follows:

### PROCEDURAL HISTORY

1. On May 20, 2019, Plaintiff 3S initiated a lawsuit against Defendants Mr. Riahinezhad, Zenisco, and Mr. Riahinezhad's former business partner in Zenisco, Shahrooz Taebi. The lawsuit was filed under King County Cause No. 19-2-13405-4 SEA. 3S brought claims for breach of contract, breach of the covenant of good faith and fair dealing, conversion, and tortious interference.
2. Mr. Taebi brought a Motion to Dismiss based upon the failure to properly effectuate service and expiration of the statute of limitations. Mr. Riahinezhad and Zenisco joined the motion. In the hearing on the Motion to Dismiss, 3S counsel admitted that 3S filed the claim notwithstanding 3S not having a contract with Mr. Riahinezhad. The Court dismissed the lawsuit without prejudice based on lack proper service. The Court declined to dismiss with prejudice on the statute of limitations based on representations by 3S that it would be able to present evidence in the future that would bring its claims within the statute of limitations.
3. 3S initiated this action on December 21, 2019, re-asserting the allegations made under Cause No. 19-2-13405-4 SEA, including the contract claim and asserting various additional

NOTICE OF REMOVAL - 2  
Case No. 19-2-34369-9 SEA

CISNEROS WHEAT LEGAL PLLC  
1201 3RD AVE STE 22-120  
SEATTLE, WASHINGTON 98101  
TELEPHONE: (206) 262-7381  
[info@wheatlegal.com](mailto:info@wheatlegal.com)

claims. Mr. Riahinezhad moved for summary judgment dismissal of 3S's claims and all of 3S's claims were dismissed with prejudice. The Court held that 3S presented no evidence bringing its claims within the statute of limitation.

4. On March 19, 2020, Mr. Riahinezhad filed his First Amended Counterclaims and Third-Party Claims, adding Ramin Delavari and Delavari Immigration Services as third-party defendants.
5. Mr. Delavari was served with a 60-day summons on April 18, 2021. On May 24, 2021, Jeffrey M. Wheat of Cisneros Wheat Legal PLLC appeared on behalf of Mr. Delavari and Delavari Immigration Services.
6. On July 6, 2021, Jeffery Wheat wrote an email to counsel for both Mr. Riahinezhad and 3S asking to have his client removed from the case and directly asking whether the parties had considered the immigration and criminal legal implications of their lawsuit. Interpreting this as a threat against himself, Mr. Riahinezhad asked the Court for leave to amend his pleadings to include claims against Mr. Delavari's attorney.
7. On July 19, 2021, the Court granted leave to the Defendants to amend their claims.

### FEDERAL QUESTION JURISDICTION

8. The Defendant's Second Amended Counterclaims and Third-Party Claims allege, *inter alia*, violations of the Trafficking Victims Protection Act (TVPA), 18 U.S.C. §§ 1589, §§ 1590 and 1594(b) as well as a claim under Racketeer Influenced and Corrupt Organizations Act ("RICO"), 18 USCS §§ 1961-1964. Participants who are alleged to have participated in the RICO Enterprise include such notables as: Verizon, Spring, Ericsson, SAC Wireless, General Dynamics, Bechtel, LG, Samsung, and California attorney Aron Hasson. The

RICO predicate acts include: Mail and Wire Fraud under *18 U.S.C. §§ 1341 and 1343*, Fraud in Foreign Labor Contracting under *18 U.S.C. § 1351*, Forced Labor under *18 U.S.C. § 1589*, Trafficking with Respect to Forced Labor under *18 U.S.C. § 1590(a)*, and Obstruction of the Enforcement of Claims of Trafficking with Respect to Forced Labor under *18 U.S.C. § 1590(b)*.

9. The pleading further alleges State claims of violations of the Washington Criminal Profiteering Act, Abuse of Legal Process, and Intentional Infliction of Emotional Distress.
10. Removal to federal court is available in cases involving a claim or right arising under the Constitution, treaties, or laws of the United States. *28 U.S.C. § 1331*. This can be the case when a plaintiff's cause of action presents a substantial dispute over the effect of a federal law and the result turns on the federal question. *28 U.S.C. §§ 1331, 1441(a), (b)*.
11. A case is removable when a separate and independent claim based on a federal question is joined with one or more otherwise nonremovable claims. The district court has the option of determining all the claims or remanding the state claims back to state court. *28 U.S.C. §§ 1331, 1441(c)*. When an action is premised on a single wrong to the plaintiff arising from an interlocked series of transactions, there is no separate and independent claim under *28 USC § 1441(c); American Fire & Cas. Co. v. Finn*, 341 U.S. 6, 13–14, 71 S. Ct. 534, 95 L. Ed. 702 (1951). The JVCA further clarified federal question removal under *28 U.S.C. § 1441*. The inclusion of unrelated state claims does not defeat removal of the action. Instead, it requires the judge to sever and remand the claims not within the jurisdiction of the federal court. *28 U.S.C. § 1441*.

#### INTRADISTRICT ASSIGNMENT AND OTHER MATTERS

NOTICE OF REMOVAL - 4  
Case No. 19-2-34369-9 SEA

CISNEROS WHEAT LEGAL PLLC  
1201 3RD AVE STE 22-120  
SEATTLE, WASHINGTON 98101  
TELEPHONE: (206) 262-7381  
[info@wheatlegal.com](mailto:info@wheatlegal.com)

12. Pursuant to Local Rules, removal to the Seattle Division of the U.S. District Court for the Western District of Washington is appropriate because the original state court venue of Plaintiff's action is King County, and because portions of the alleged claim arose in King County.

13. Defendant has filed or will file with the state court clerk a Notice of Filing Notice of Removal pursuant to 28 U.S.C. § 1446(d). A copy of that notice will be included with the full state court record pursuant to W.D. Wash. LCR 101(c).

14. By filing this Notice of Removal, Third Party Defendant reserves any defenses they may possess in this action, including but not limited to any defenses under Rule 12 of the Federal Rules of Civil Procedure, and hereby expressly reserve the right to assert any such defenses in this action.

WHEREFORE, the above-captioned action against Third Party Defendant is hereby removed to this Court under 28 U.S.C. §§ 1441 and 1446, and Third-Party Defendant respectfully requests that all further proceedings in this Action be conducted in this Court as provided by law.

Dated: July 20, 2021

**CISNEROS WHEAT LEGAL PLLC**

By: 

Jeffery M. Wheat, WSBA # 54228  
1201 3rd Ave Suite 22-120  
Seattle, Washington 98101  
Tel: (206) 262-7381  
Email: [info@wheatlegal.com](mailto:info@wheatlegal.com)

NOTICE OF REMOVAL - 5  
Case No. 19-2-34369-9 SEA

**CISNEROS WHEAT LEGAL PLLC**  
1201 3RD AVE STE 22-120  
SEATTLE, WASHINGTON 98101  
TELEPHONE: (206) 262-7381  
[info@wheatlegal.com](mailto:info@wheatlegal.com)

**Declaration of Service**

I declare under penalty of perjury of the laws of the state of Washington that on the date of execution below, I caused to be served in the manner indicated a true and accurate copy of the following documents:

1. NOTICE OF REMOVAL and DECLARATION OF SERVICE
2. JURY DEMAND
3. OPERATIVE COMPLAINT

upon the following:

Scott McKay  
LAW OFFICE OF SCOTT MCKAY  
3614 California Ave SW Ste A  
Seattle, WA 98116  
[scottjmckay@hotmail.com](mailto:scottjmckay@hotmail.com)

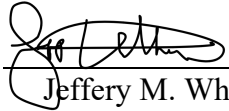
Daniel Werner (pro hac vice)  
315 W. Ponce de Leon Ave. Suite 1080  
Decatur, Georgia 30030  
(678) 271-0300

and

Daniel A. S. Foe  
MULLAVEY PROUT GRENLEY & FOE, LLP  
2401 NW 65th Street  
PO Box 70567  
Seattle, Washington 98127  
[dfoe@ballardlawyers.com](mailto:dfoe@ballardlawyers.com)

Dated: July 20, 2021

**CISNEROS WHEAT LEGAL PLLC**

By:   
Jeffery M. Wheat, WSBA # 54228  
1201 3rd Ave Suite 22-120  
Seattle, Washington 98101  
Tel: (206) 262-7381  
Email: [info@wheatlegal.com](mailto:info@wheatlegal.com)

NOTICE OF REMOVAL - 6  
Case No. 19-2-34369-9 SEA

**CISNEROS WHEAT LEGAL PLLC**  
1201 3RD AVE STE 22-120  
SEATTLE, WASHINGTON 98101  
TELEPHONE: (206) 262-7381  
[info@wheatlegal.com](mailto:info@wheatlegal.com)